

**American Electric Power**  
191A Enterprise Drive  
P.O. Box 5190  
Frankfort, KY 40602-5190  
www.aep.com



Mr. Thomas M. Dorman, Executive Director  
Kentucky Public Service Commission  
P. O. Box 615  
Frankfort, KY 40602

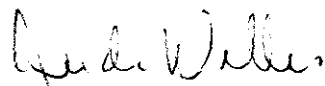
19 December 2003

Dear Mr. Dorman:

As directed by the Public Service Commission's Order in Case No. 2002-00464 dated December 17, 2002, we are attaching two copies of the Ordinance/Acceptance granting Kentucky Power Company d/b/a American Electric Power a twenty-year electric franchise in the city of Greenup, Greenup County, Kentucky.

If you have any questions, I can be reached at 502/696-7012.

Sincerely,

  
Judi Willis  
Regulatory Consultant

Attachment

Cc: Hon. Mark R. Overstreet, Stites & Harbison (w/a)

## ACCEPTANCE

TO THE MAYOR AND CITY COUNCIL  
THE CITY OF GREENUP, KENTUCKY

WHEREAS, on the 12th day of August 2003, the CITY COUNCIL OF THE CITY OF  
GREENUP, KENTUCKY, passed ORDINANCE NO. 18, 2003 entitled:

### ORDINANCE NO. 18, 2003

An Ordinance of the City Council of the City of Greenup, Kentucky,  
Granting to Kentucky Power Company, d/b/a American Electric Power,  
Its Successors and Assigns, a Twenty (20) year Franchise, Privilege,  
Right and Authority to Acquire, Maintain, Construct and Operate In,  
Above, Under, Across, and Along the Streets, Thoroughfares, Alleys,  
Sidewalks, Bridges, Public Ways, and Other Public Places of the City of  
Greenup, Kentucky, and Its Successors and Assigns, Lines, Poles, and  
Equipment for the Transportation, Transmission and Distribution of  
Electric Energy to the City of Greenup and the Inhabitants Thereof and  
the Persons and Corporations Beyond the Limits Thereof for Light, Heat,  
Power, and Other Purposes and for the Transmission, Transportation,  
and Distribution of Same Within, Through or Across Said City.

WHEREAS, the undersigned KENTUCKY POWER COMPANY, D/B/A  
AMERICAN ELECTRIC POWER, is willing to accept said Ordinance granting said  
franchise in accordance with the terms and conditions therein set forth.

NOW THEREFORE, the said KENTUCKY POWER COMPANY D/B/A  
AMERICAN ELECTRIC POWER hereby assents to and accepts the terms and  
provisions of said Ordinance and agrees to be bound and abide by said terms and  
provisions as in said Ordinance set forth.

IN WITNESS WHEREOF, said KENTUCKY POWER COMPANY, D/B/A  
AMERICAN ELECTRIC POWER, a Kentucky corporation, has caused its name to be  
hereunto affixed by Timothy C. Mosher, its Kentucky State President, its seal to be  
affixed and the same to be Attested by Errol K. Wagner, its Assistant Secretary on this  
8th day of October, 2003.

(S E A L)

KENTUCKY POWER COMPANY,  
d/b/a AMERICAN ELECTRIC POWER

By Timothy C. Mosher  
Timothy C. Mosher  
Kentucky State President

ATTEST:

Errol K. Wagner  
Errol K. Wagner  
Assistant Secretary

STATE OF KENTUCKY

COUNTY OF FRANKLIN

I, a Notary Public in and for the County and State aforesaid, do hereby certify that  
the foregoing Acceptance was this day acknowledged before me by Timothy C. Mosher,  
its State President-Kentucky, and Errol K. Wagner, its Assistant Secretary, to be his free  
act and deed and the act and deed of Kentucky Power Company d/b/a American Electric  
Power, this 8th day of October, 2003

My Commission expires January 8, 2005  
Carolyn S. Payne  
Notary Public, State-at-Large, Kentucky

I, Vicki Hieneman, Clerk of the City of Greenup, Kentucky do hereby certify that the above is a true copy of the Acceptance by KENTUCKY POWER COMPANY D/B/A AMERICAN ELECTRIC POWER of an electric franchise Ordinance passed by the CITY COUNCIL of said City on the 12<sup>th</sup> day of August, 2003.

Received and filed this 5<sup>th</sup> day of December, 2003.

Patty Wright  
Vicki Hieneman, Clerk  
City of Greenup, Kentucky

**ORDINANCE NO. 18 , 2003**

An Ordinance of the City Council of the City of Greenup, Kentucky, Granting to Kentucky Power Company, d/b/a American Electric Power, Its Successors and Assigns, a Twenty (20) Year Franchise, Privilege, Right and Authority to Acquire, Maintain, Construct and Operate In, Above, Under, Across and Along the Streets, Thoroughfares, Alleys, Sidewalks, Bridges, Public Ways and Other Public Places of the City of Greenup, Kentucky, and Its Successors and Assigns, Lines, Poles and Equipment for the Transportation, Transmission and Distribution of Electric Energy to the City of Greenup and the Inhabitants thereof and the Persons and Corporations beyond the Limits thereof for Light, Heat, Power and Other Purposes and for the Transmission, Transportation and Distribution of Same Within, Through or Across Said City.

**BE IT ORDAINED BY THE CITY OF GREENUP, GREENUP COUNTY, KENTUCKY, AS FOLLOWS:**

**SECTION 1**

Kentucky Power Company, d/b/a American Electric Power, its successors and assigns, hereinafter called grantee, is granted the franchise, privilege, right and authority to acquire, maintain, construct and operate in, above, under, across and along the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places (as the same now exist or may hereafter be laid out) of the City of Greenup, Greenup County, Kentucky, lines, poles and equipment for the transportation, transmission and distribution of electric energy, either by means of overhead or underground conductors, with all the necessary or desirable appurtenances, for the purpose of supplying electric energy to said City and the inhabitants thereof, and persons and corporations beyond the limits thereof, for light, heat, power and any other purpose or purposes for which electric energy is now or may hereafter be used, and for the transmission of the same within, through or across said City.

SECTION 2. Said lines and appurtenances shall be constructed so as to interfere as little as possible with the traveling public in its use of the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places.

SECTION 3. The franchise, privilege, right and authority shall be in full force and effect for a period of twenty (20) years from the date of passage of this Ordinance.

SECTION 4. The grantee of this franchise shall save the City harmless from any and all liability arising in any way from negligence of the grantee in the erection, maintenance or operation of said lines and appurtenances.

SECTION 5. The grantee of this franchise shall have the right and privilege to take up such portion or part of any pavement and make such excavation in the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City of Greenup as may be deemed necessary for the construction and maintenance of its lines, wires or cables, but, whenever the grantee of this franchise shall begin the erection of any lines or other equipment, it shall promptly and diligently prosecute the work to completion, and leave the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places where such work is done in as good condition of repair as before such work was commenced.

SECTION 6. Wherever in this franchise either the City of Greenup or the grantee thereof is referred to, it shall be deemed to include the respective successors and assigns, of either, and all rights, privileges and obligations contained in this franchise shall be binding upon, and inure to the benefit of, the respective successors and assigns, of the City and said grantee, whether so expressed or not.

SECTION 7. The grantee of this franchise may make such rules and regulations covering the furnishing of said electric energy as may be fair and reasonable and consistent with the standard practice of the grantee. Said grantee may charge such rates for electric service as shall be fair and reasonable. The said grantee shall render service under said franchise of like quality, that is, adequate, efficient and reasonable, to that now being rendered to said City.

SECTION 8. The consideration paid and agreed to be paid in its bid by the grantee for the franchise, privilege, right and authority provided for herein, shall be complete compensation and consideration for said franchise, privilege, right and authority, and for the use and occupancy of the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City, in lieu of any street or alley rental or of any charge for the use or occupancy of said streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of said City, and in lieu of any pole tax or meter tax.

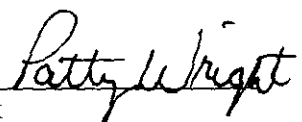
SECTION 9. The Ordinance granting this franchise shall be accepted by the grantee thereof within sixty (60) days from the date of its passage.

SECTION 10. All Ordinances and parts of Ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 11. This Ordinance shall be in full force and effect upon its passage by the City Commission.

  
Charles Veach, Mayor

ATTEST:

  
Vicki Hieneman, Clerk

Introduction and First Reading July 8, 2003.

Second Reading: August 12, 2003.

Adopted by the City Council of the City of  
Greenup, Kentucky

the 12<sup>th</sup> day of August, 2003.